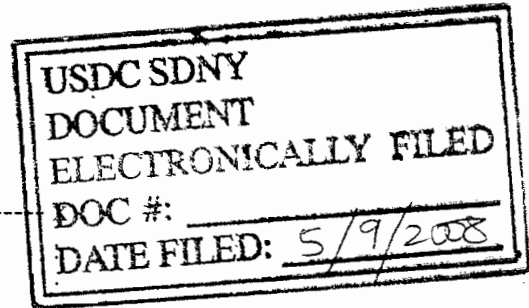


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



DARRELL SMITH, on behalf of himself
Individually and all others similarly situated,

Plaintiff,

v.

PIONEER CREDIT RECOVERY, INC.,

Defendant.

08 Civ. 0498 (DAB)(KNF)

**STIPULATION OF
VOLUNTARY DISMISSAL
WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for plaintiff, Darrell Smith, and for defendant, Pioneer Credit Recovery, Inc., that, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the above-entitled action is dismissed, with prejudice and without costs to either party as against the others. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York
April 30, 2008

FAGENSON & PUGLISI

GALLAGHER HARNETT &
LAGALANTE, LLP

By:

A handwritten signature in cursive script, appearing to read "Novlette R. Kidd".

Novlette R. Kidd, Esq. (NK 2552)
Attorneys for Plaintiff
450 Seventh Avenue, Suite 3302
New York, New York 10123
(212) 268-2128

By:

A handwritten signature in cursive script, appearing to read "Brian K. Gallagher".

Brian K. Gallagher, Esq. (BG 6377)
(A Member of the Firm)
Attorneys for Defendant
380 Lexington Avenue, Suite 2120
New York, New York 10168
(212) 983-9700

SO ORDERED:

A handwritten signature in cursive script, appearing to read "Deborah A. Batts".

Deborah A. Batts, U.S.D.C.

5/9/08